

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Stage of International)	
Application No. PCT/FR03/02480 of:)	
)	
Valérie DE LA POTERIE et al.)	Group Art Unit: 1619
)	
Application No.: 10/526,675)	Examiner: Jyothsna A. Venkat
)	
Filed: September 26, 2005)	Confirmation No.: 3249
)	
For: MAKE-UP COMPOSITION FOR)	
KERATIN FIBERS SUCH AS)	
EYELASHES)	<u>VIA EFS WEB</u>

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document on the attached listing. To the undersigned's knowledge, this Third Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patents and U.S. patent application publications and co-pending applications are not enclosed. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicant submits the following remarks:

1. **EP 0 720 845 B1** - This document is believed to be related to U.S. Patent Application Publication No. US 2003/0211059 A1, cited on the attached Form PTO/SB/08.

2. **EP 0 745 376 B1** - This document is believed to be related to U.S. Patent No. 5,897,869, cited on the attached Form PTO/SB/08.

3. **EP 0 756 863 B1** - This document is believed to be related to U.S. Patent No. 5,936,002, cited on the attached Form PTO/SB/08.

4. **EP 0 979 643 B1** - This document is believed to be related to U.S. Patent No. 6,326,012 B1, cited on the attached Form PTO/SB/08.

5. **EP 1 108 415 A2**- This document is believed to be related to U.S. Patent Application Publication No. US 2001/0006665 A1, cited on the attached Form PTO/SB/08.

6. **EP 1 424 059 B1**- This document is believed to be related to U.S. Patent Application Publication No. US 2004/0137021 A1, cited on the attached Form PTO/SB/08.

7. **FR 2 844 188 A1** - This document is believed to be related to U.S. Patent Application Publication No. US 2006/0134038 A1, cited on the attached Form PTO/SB/08.

8. **FR 2 844 195 A1** - This document is believed to be related to U.S. Patent Application Publication No. US 2006/0134038 A1, cited on the attached Form PTO/SB/08.

9. **JP 4-505469** - This document is believed to be related to U.S. Patent No. 5,925,337, cited on the attached Form PTO/SB/08.

10. **JP 10-67645** - This document is believed to be related to U.S. Patent Application Publication No. US 2002/0054894 A1, cited on the attached Form PTO/SB/08.

11. **JP 2000-86426** - This document is believed to be related to U.S. Patent No. 6,326,012 B1, cited on the attached Form PTO/SB/08.

12. **JP 2000-191444** - An abstract of the disclosure of this document can be found in the English language abstract submitted herewith.

13. **JP 2002-234819** - An abstract of the disclosure of this document can be found in the English language abstract submitted herewith.

14. **JP 2003-63927** - An abstract of the disclosure of this document can be found in the English language abstract submitted herewith.

15. **JP 07-48231** - An abstract of the disclosure of this document can be found in the English language abstract submitted herewith.

16. **WO 2004/022009 A1** - This document is believed to be related to U.S. Patent Application Publication No. US 2006/0134038 A1, cited on the attached Form PTO/SB/08.

17. **French Search Report for FR 0309710** - This is the Search Report for French Patent Application No. FR 0309710, which is the French priority application for the related co-pending application (Attorney Docket No. 08048.0054-00000).

18. **French Search Report for FR 0309711** - This is the Search Report for French Patent Application No. FR 0309710, which is the French priority application for the related co-pending application (Attorney Docket No. 08048.0055-00000).


This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies document as prior art against any claim in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Mark D. Sweet
Reg. No. 41,469

Date: July 17, 2009